



# Dispute Resolution Services

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Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      CNC-MT, LRE, LAT, OLC, PSF

### Introduction

The tenants applied (once on September 8, 2021 and again on December 13, 2021) for various relief under the *Residential Tenancy Act* ("Act"). Three of the forms of relief sought in their December 13, 2021 application for dispute resolution were identical to the three of five forms of relief sought in their September 8, 2021 application. Both parties attended the hearing on January 20, 2022 at 9:30 AM.

### Preliminary Issue: Tenancy Ended on December 31, 2021

All of the relief sought pertain to matters that would only apply if the tenancy were active, or ongoing. (That is, a dispute of a notice to end tenancy, a claim for landlord compliance, a claim for an order for service of facilities, and an order for restrictions on a landlord's right of entry into a rental unit.)

However, on an unrelated file (see "Previous File Number" as noted on the cover page of this Decision), the parties settled their dispute, and the tenancy was ended effective December 31, 2021 at 1:00 PM. The arbitrator issued an order of possession and his decision on September 14, 2021.

The tenant confirmed with me, during the hearing, that the tenancy had in fact ended on this date but that she was in the process of trying to figure out a way to stay longer. One of the landlords briefly explained to me that the tenancy had ended, that they had obtained a writ of possession from the Supreme Court on January 7, 2022 (a copy of the writ was submitted into evidence), and that the bailiffs were awaiting next steps. All that needed to be done was for the tenants to attend to the rental unit and retrieve their belongings.

The parties then engaged in a bit of contretemps until I explained that, because the tenancy ended about three weeks ago, all of the issues before me are now moot.

The hearing was ended at 9:39 AM while the tenant was in the middle of talking about issues with service (the tenant refused, or chose not, to listen to my repeated explanation as to why the issues were moot and why a hearing would not proceed any further), and the landlord thanked and bid me farewell.

### Conclusion

Given the above, and as the issues in the tenants' two applications are now moot, the applications are dismissed without leave to reapply.

This decision is made on delegated authority under section 9.1(1) of the Act.

Dated: January 20, 2022

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Residential Tenancy Branch